

INFORMATION DISCLOSURE STATEMENT

Applicant : Thomas W. Davison
App. No : 10/689,487
Filed : October 20, 2003
For : SYSTEM FOR PERFORMING A
PROCEDURE AT A SPINAL
LOCATION
Examiner : Nicholas W. Woodall
Art Unit : 3733
Confirmation : 7935
No.

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

2/20/07

(Date)

Josue A. Villalta, Reg. No. 54,511

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application is an Information Disclosure Statement by Applicant (PTO/SB/08 equivalent) listing 418 references to be considered by the Examiner. Also enclosed are 69 foreign patent references and/or non-patent literature as listed on the Information Disclosure Statement.

Reference numbers 334-349 identify several co-pending applications assigned to the assignee of this application. Applicant directs the Examiner to these applications to consider whether the subject matter claimed, now or as may be amended in the future, as well as the associated prosecution history, now or in the future, may be relevant to the patentability of the present application (e.g., for reasons of obviousness-type double patenting). Applicant believes that the Examiner has access to the applications and associated file histories through the Patent Office (e.g., the IFW system). Accordingly, Applicant has not provided copies of these applications or their associated file histories, but would be happy to do so, now or in the future,

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should the Examiner so request. Copies of the references are not submitted pursuant to 37 C.F.R. § 1.98(d).

Applicant notes that many references listed in the Information Disclosure Statement were cited in U.S. Application Serial No. 10/734,161 ("the '161 application"), filed December 15, 2003. The Applicants of the '161 application have requested that the United States Patent and Trademark Office ("USPTO") declare an interference between the '161 application and U.S. Patent Nos. 6,530,926 and 7,056,321, which are parent cases of the above-identified application. The Applicants of the '161 application have also requested that the proposed interference include the above-identified application. The '161 application and the Request for Declaration of Interference are cited on the enclosed Information Disclosure Statement as Reference Nos. 333 and 416.

Notwithstanding the length of the list of references submitted, the Applicant respectfully submits that he is not attempting to cloak any particular reference(s), and the submission of the references is made solely in an attempt to comply with the duty of candor and to place before the examining office all references that may be considered material by an Examiner. The length of the Statement is due in part to Applicant's desire to cite all art that was made of record by the party in the '161 application, who is seeking to provoke an interference with parent cases of the present application.

Nevertheless, in an attempt to facilitate the examining process, the Applicant would like to call the Examiner's attention to the following references: U.S. Patent No. 6,187,000, U.S. Patent No. 5,171,279, U.S. Patent No. 6,306,170, European Publication No. EP 0 807 415 and Australian Publication No. AU 13672/95. However, Applicant does not warrant that there are not references that are contained within the Information Disclosure Statements that are more relevant, for Applicant has not conducted an analysis to determine the relative import of the various references.

This Information Disclosure Statement is being filed before the mailing date of a final action and before the mailing of a Notice of Allowance. This Statement is accompanied by the fees set forth in 37 C.F.R. § 1.17(p).

The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Account No. 11-1410.

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Dated: _____

2/27/07

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

By: _____

Josué A. Villalta

Registration No. 54,511

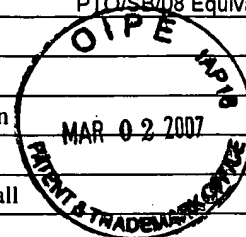
Attorney of Record

Customer No. 20,995

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Multiple sheets used when necessary)</i>	Application No.	10/689,487
	Filing Date	October 20, 2003
	First Named Inventor	Thomas W. Davison
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SHEET 1 OF 16		Examiner: Nicholas W. Woodall Attorney Docket No.: ENDIUS.26CP1C2



U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	465,161	12/1891	Chase	
	2	2,235,979	3/1/41	Brown	
	3	2,255,657	9/1/41	Freedman	
	4	2,482,116	9/1/49	Lanahan	
	5	2,575,253	11/1/51	Bicek	
	6	2,594,086	4/22/52	Smith et al.	
	7	2,666,428	1/1/54	Glenner	
	8	2,756,742	7/1/56	Barton	
	9	2,829,649	4/1/58	Glenner	
	10	2,886,004	5/1/59	Morrison	
	11	3,044,461	7/17/62	Murdock	
	12	3,486,505	12/1/69	Morrison	
	13	3,570,498	3/1/71	Weighton	
	14	3,592,199	7/13/71	Ostensen	
	15	3,626,471	12/1/71	Florin	
	16	3,651,800	3/1/72	Wilbanks	
	17	3,788,318	1/29/74	Kim et al.	
	18	3,789,852	2/5/74	Kim et al.	
	19	3,875,595	4/8/75	Froning	
	20	3,941,127	3/1/77	Froning	
	21	3,964,480	6/1/76	Froning	
	22	4,013,078	3/22/77	Field	
	23	4,049,000	9/1/77	Williams	
	24	4,232,660	11/1/80	Coles	
	25	4,254,763	3/10/81	McCreedy et al.	
	26	4,344,419	8/1/82	Burgin	
	27	4,350,151	9/1/82	Scott	
	28	4,421,108	12/20/83	Cabrera et al.	
	29	4,449,532	5/22/84	Storz	

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U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	30	4,451,256	5/29/84	Weigl et al.	
	31	4,461,281	7/1/84	Carson	
	32	4,498,902	2/1/85	Ash et al.	
	33	4,513,754	4/30/85	Lee	
	34	4,538,594	9/1/85	Boebel et al.	
	35	4,545,374	10/8/85	Jacobson	
	36	4,562,832	1/1/86	Wilder et al.	
	37	4,573,448	3/1/86	Kambin	
	38	4,573,454	3/1/86	Hoffman	
	39	4,586,491	5/1/86	Carpenter	
	40	4,601,713	7/22/86	Fuqua	
	41	4,617,929	10/1/86	Gill et al.	
	42	4,638,799	1/27/87	Moore	
	43	4,655,216	4/1/87	Ticher	
	44	4,674,501	6/1/87	Greenberg	
	45	4,678,459	7/1/87	Onik et al.	
	46	4,696,544	9/1/87	Costella	
	47	4,700,694	10/1/87	Shishido	
	48	4,716,901	1/5/88	Jackson et al.	
	49	4,736,738	4/1/88	Lipovsek et al.	
	50	4,750,475	6/1/88	Zanetti	
	51	4,750,487	6/14/88	Okutsu	
	52	4,762,120	8/1/88	Hussein	
	53	4,790,297	12/13/88	Luque	
	54	4,834,757	5/30/89	Brantigan	
	55	4,819,620	4/11/89	Okutsu	
	56	4,834,757	5/30/89	Brantigan	
	57	4,850,342	7/25/89	Hashiguchi et al.	
	58	4,862,891	9/1/89	Smith et al.	

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U.S. PATENT DOCUMENTS					
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	59	4,863,133	9/5/89	Bonnell	
	60	4,874,897	10/1/89	Lee	
	61	4,878,915	11/7/89	Brantigan	
	62	4,887,595	12/19/89	Heinig	
	63	4,899,729	2/13/90	Gill et al.	
	64	4,904,261	2/27/90	Dove et al.	
	65	4,905,082	2/1/90	Nishigaki et al.	
	66	4,921,478	5/1/90	Solano et al.	
	67	4,947,896	8/1/90	Bartlett	
	68	4,972,827	11/1/90	Kishi et al.	
	69	4,984,564	1/15/91	Yuen	
	70	5,004,457	4/1/91	Wyatt et al.	
	71	5,015,247	5/14/91	Michelson	
	72	5,020,514	6/4/91	Heckele	
	73	5,025,778	6/25/91	Silverstein et al.	
	74	5,071,410	12/1/91	Pazekk	
	75	5,108,420	4/28/92	Marks	
	76	5,112,354	5/12/92	Sires	
	77	5,125,396	6/1/92	Ray	
	78	5,131,382	7/21/92	Meyer	
	79	5,133,717	7/28/92	Chopin	
	80	5,139,487	8/1/92	Barber	
	81	5,139,499	8/18/92	Small et al.	
	82	5,139,511	8/1/92	Gill et al.	
	83	5,158,543	10/1/92	Lazarus	
	84	5,163,949	11/17/92	Bonnutti	
	85	5,171,279	12/15/92	Matthews	
	86	5,190,561	3/2/93	Graber et al.	
	87	5,195,507	3/1/93	Bilweis	

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U.S. PATENT DOCUMENTS					
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	88	5,195,541	3/23/93	Obenchain	
	89	5,197,971	3/30/93	Bonnutti	
	90	5,201,729	4/1/93	Hertzmann et al.	
	91	5,224,680	7/6/93	Greenstein et al.	
	92	5,225,001	7/6/93	Manni et al.	
	93	5,242,444	9/1/93	MacMillan	
	94	5,279,564	1/8/94	Taylor et al.	
	95	5,287,845	2/22/94	Faul et al.	
	96	5,295,994	3/22/94	Bonnutti	
	97	5,312,417	5/17/94	Wilk	
	98	5,313,962	5/24/94	Obenchain	
	99	5,330,473	7/19/94	Howland	
	100	5,334,150	8/1/94	Kaali	
	101	5,339,802	8/1/94	Cook	
	102	5,339,803	8/1/94	Mayzels et al.	
	103	5,346,504	9/13/94	Ortiz et al.	
	104	5,353,784	10/1/94	Nady-Mohamed	
	105	5,354,302	10/11/94	Ko	
	106	5,357,983	10/1/94	Mathews	
	107	5,359,995	11/1/94	Sewell, Jr.	
	108	5,360,431	11/1/94	Puno et al.	
	109	5,364,395	11/1/95	West, Jr.	
	110	5,370,647	12/6/94	Graber et al.	
	111	5,376,076	12/1/94	Kaali	
	112	5,380,291	12/1/95	Kaali	
	113	5,385,583	1/31/95	Cotrel	
	114	5,392,766	2/1/95	Masterson et al.	
	115	5,395,317	3/7/95	Kambin	
	116	5,396,880	3/1/95	Kagan et al.	

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	117	5,437,637	8/1/95	Lieber et al.	
	118	5,437,671	8/1/95	Lozier et al.	
	119	5,437,672	8/1/95	Alleyne	
	120	5,439,449	8/1/95	Mapes et al.	
	121	5,439,464	8/8/95	Shapiro	
	122	5,441,041	8/1/95	Sauer et al.	
	123	5,441,042	8/15/95	Putman	
	124	5,443,058	8/1/95	Ough	
	125	5,443,467	8/22/95	Biedermann et al.	
	126	5,443,514	8/22/95	Steffee	
	127	5,445,142	8/1/95	Hassler, Jr.	
	128	5,454,365	10/3/95	Bonnutti	
	129	5,470,333	11/28/95	Ray	
	130	5,472,426	12/5/95	Bonati et al.	
	131	5,480,440	1/2/96	Kambin	
	132	5,484,437	1/16/96	Michelson	
	133	5,487,744	1/30/96	Howland	
	134	5,489,307	2/6/96	Kuslich et al.	
	135	5,503,617	4/2/96	Jako	
	136	5,512,034	4/1/96	Finn et al.	
	137	5,520,607	5/28/96	Frassica et al.	
	138	5,534,009	7/1/96	Lander	
	139	5,549,595	8/1/96	Freitas	
	140	5,549,608	8/27/96	Errico et al.	
	141	5,551,947	9/1/96	Kaali	
	142	5,554,157	9/10/96	Errico et al.	
	143	5,556,371	9/1/96	Kaali	
	144	5,562,696	10/1/96	Nobles et al.	
	145	5,562,736	10/8/96	Dickhudt et al.	

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U.S. PATENT DOCUMENTS					
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	146	5,569,205	10/1/96	Hart et al.	
	147	5,569,248	10/1/96	Mathews	
	148	5,571,072	11/5/96	Kronner	
	149	5,573,517	11/12/96	Bonutti et al.	
	150	5,575,754	11/19/96	Konomura	
	151	5,586,984	12/24/96	Errico et al.	
	152	5,588,949	12/31/96	Taylor et al.	
	153	5,601,554	2/11/97	Howland et al.	
	154	5,601,590	2/11/97	Bonutti et al.	
	155	5,603,688	2/1/97	Upsher	
	156	5,613,937	3/1/97	Garrison et al.	
	157	5,613,968	3/25/97	Lin	
	158	5,642,442	4/29/97	Merlinger et al.	
	159	5,643,282	7/10/97	Kieturakis	
	160	5,667,472	9/1/97	Finn et al.	
	161	5,667,473	9/1/97	Finn et al.	
	162	5,667,478	9/1/97	McFarlin et al.	
	163	5,667,520	9/16/97	Bonnutti	
	164	5,672,176	9/30/97	Biedermann et al.	
	165	5,674,295	10/7/97	Ray et al.	
	166	5,681,319	10/28/97	Biedermann et al.	
	167	5,695,448	12/9/97	Kimura et al.	
	168	5,702,454	12/30/97	Baumgartner	
	169	5,707,359	1/13/98	Bufalini	
	170	5,716,356	2/10/98	Biedermann et al.	
	171	5,725,588	3/10/98	Errico et al.	
	172	5,728,046	3/1/98	Mayer et al.	
	173	5,730,754	3/1/98	Obenchain	
	174	5,735,792	4/1/98	Vanden Hoek et al.	

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	175	5,762,629	6/9/98	Kambin	
	176	5,772,661	6/1/98	Michelson	
	177	5,782,833	7/21/98	Haider	
	178	5,782,919	7/21/98	Zdeblick et al.	
	179	5,792,044	7/21/98	Foley et al.	
	180	5,795,289	8/19/98	Wyttenbach	
	181	5,797,911	8/25/98	Sherman et al.	
	182	5,810,809	9/1/98	Rydell	
	183	5,810,818	9/22/98	Errico et al.	
	184	5,813,978	9/29/98	Jako	
	185	5,814,084	9/29/98	Grivas et al.	
	186	5,823,947	10/1/98	Yoon et al.	
	187	5,824,093	10/20/98	Ray et al.	
	188	5,827,319	10/27/98	Carlson et al.	
	189	5,857,999	1/12/99	Quick et al.	
	190	5,863,293	1/26/99	Richelsoph	
	191	5,865,728	2/1/99	Moll et al.	
	192	5,865,802	2/2/99	Yoon et al.	
	193	5,868,745	2/9/99	Alleyne	
	194	5,873,878	2/23/99	Harms et al.	
	195	5,876,402	3/2/99	Errico et al.	
	196	5,879,389	3/9/99	Koshino	
	197	5,882,350	3/16/99	Ralph et al.	
	198	5,885,286	3/23/99	Sherman et al.	
	199	5,888,190	3/30/99	Foley et al.	
	200	5,902,231	5/11/99	Foley et al.	
	201	5,910,142	6/8/99	Tatar	
	202	5,921,917	7/1/99	Barthel et al.	
	203	5,928,137	7/1/99	Green	

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	204	5,928,232	7/27/99	Howland et al.	
	205	5,928,233	7/27/99	Apfelbaum et al.	
	206	5,954,635	9/21/99	Foley et al.	
	207	5,954,725	9/21/99	Sherman et al.	
	208	5,961,499	10/5/99	Bonnutti et al.	
	209	5,961,517	10/5/99	Biedermann et al.	
	210	5,964,760	10/12/99	Richelsoph	
	211	5,984,928	11/16/99	Hermann	
	212	5,997,471	12/1/99	Gumb et al.	
	213	5,997,508	12/7/99	Lunn et al.	
	214	6,004,320	12/1/99	Casscells et al.	
	215	6,007,487	12/1/99	Foley et al.	
	216	6,007,533	12/1/99	Casscells et al.	
	217	6,010,503	1/4/00	Richelsoph et al.	
	218	6,022,376	2/8/00	Assell et al.	
	219	6,033,406	3/7/00	Matthews	
	220	6,050,997	4/18/00	Mullane	
	221	6,053,917	4/25/00	Sherman et al.	
	222	6,063,090	5/16/00	Schläpfer	
	223	6,074,380	6/1/00	Byrne et al.	
	224	6,074,391	6/13/00	Metz-Stavenhagen et al.	
	225	6,077,262	6/20/00	Schläpfer et al	
	226	6,086,588	7/11/00	Ameil et al.	
	227	6,090,111	7/18/00	Nichols	
	228	6,096,081	8/1/00	Grivas et al.	
	229	6,110,173	8/29/00	Thomas, Jr.	
	230	6,110,210	8/29/00	Norton et al.	
	231	6,113,601	9/5/00	Tatar	
	232	6,120,434	9/1/00	Kimura et al.	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Application No.	10/689,487
	Filing Date	October 20, 2003
	First Named Inventor	Thomas W. Davison
	Art Unit	3733
(Multiple sheets used when necessary)	Examiner	Nicholas W. Woodall
SHEET 9 OF 16	Attorney Docket No.	ENDIUS.26CP1C2

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	233	6,120,437	9/19/00	Yoon et al.	
	234	6,132,432	10/17/00	Richelsoph	
	235	6,132,465	10/17/00	Ray et al.	
	236	6,139,550	10/31/00	Michelson	
	237	6,142,931	11/1/00	Kaji	
	238	6,152,871	11/28/00	Foley et al.	
	239	6,162,170	12/1/00	Foley et al.	
	240	6,162,236	12/19/00	Osada	
	241	6,171,299	1/9/01	Bonnutti	
	242	6,175,758	1/1/01	Kambin	
	243	6,176,823	1/1/01	Foley et al.	
	244	6,183,473	2/6/01	Ashman	
	245	6,187,000	2/13/01	Davison et al.	
	246	6,206,822	3/1/01	Foley et al.	
	247	6,214,001	4/1/01	Casscells et al.	
	248	6,217,509	4/1/01	Foley et al.	
	249	6,221,082	4/24/01	Marino et al.	
	250	6,248,105	6/19/01	Schläpfer et al.	
	251	6,258,024	7/1/01	van Der Weegen	
	252	6,261,586	7/17/01	McCay	
	253	6,267,765	7/31/01	Taylor et al.	
	254	6,270,498	8/1/01	Michelson	
	255	6,280,442	8/28/01	Barker et al.	
	256	6,293,949	9/25/01	Justis et al.	
	257	6,296,642	10/2/01	Morrison et al.	
	258	6,306,137	10/23/01	Troxell	
	259	6,306,170	10/23/01	Ray	
	260	6,309,391	10/30/01	Crandall et al.	
	261	6,312,443	11/6/01	Stone	

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SHEET 10 OF 16	Attorney Docket No.	ENDIUS.26CP1C2

U.S. PATENT DOCUMENTS					
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	262	6,325,812	12/1/01	Dubrul et al.	
	263	6,338,730	1/15/02	Bonnutti et al.	
	264	6,355,038	2/12/02	Pisharodi	
	265	6,355,040	3/12/02	Richelsoph et al.	
	266	6,358,226	3/19/02	Bonnutti	
	267	6,361,488	3/26/02	Davison et al.	
	268	6,368,321	4/4/02	Jackson	
	269	6,371,968	4/16/02	Kogasaka et al.	
	270	6,383,195	5/7/02	Richard	
	271	6,387,130	5/14/02	Stone et al.	
	272	6,425,859	7/30/02	Foley et al.	
	273	6,440,133	8/27/02	Beale et al.	
	274	6,440,137	8/27/02	Horvath et al.	
	275	6,471,703	10/29/02	Ashman	
	276	6,478,797	11/12/02	Paul	
	277	6,482,207	11/19/02	Errico	
	278	6,485,491	11/26/02	Farris et al.	
	279	6,485,494	11/26/02	Haider	
	280	6,485,518	11/1/02	Cornwall et al.	
	281	6,494,893	12/17/02	Dubrul et al.	
	282	6,497,654	12/24/02	Leonard et al.	
	283	6,503,249	1/27/03	Krause	
	284	6,508,839	1/21/03	Lambrech et al.	
	285	6,520,907	2/18/03	Foley et al.	
	286	6,520,926	3/1/03	Davison	
	287	6,524,320	2/25/03	DiPoto	
	288	6,530,880	3/11/03	Pagliuca	
	289	6,530,926	3/11/03	Davison	
	290	6,530,929	3/11/03	Justis et al.	

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	291	6,530,930	3/11/03	Marino et al.	
	292	6,540,748	4/1/03	Lombardo	
	293	6,564,078	5/13/02	Marino et al.	
	294	6,575,899	6/10/03	Foley et al.	
	295	6,602,291	8/5/03	Ray et al.	
	296	6,610,094	8/26/03	Husson	
	297	6,648,888	11/1/03	Shluzas	
	298	6,652,553	11/25/03	Davison et al.	
	299	6,679,833	1/20/04	Smith et al.	
	300	6,793,656	9/21/04	Mathews	
	301	6,800,084	10/5/04	Davison et al.	
	302	6,811,558	11/2/04	Davison et al.	
	303	6,821,243	11/23/04	Pagliuca et al.	
	304	6,837,891	1/4/05	Davison et al.	
	305	7,001,397	2/21/06	Davison	
	306	7,033,369	4/25/06	Davison et al.	
	307	7,056,321	6/6/06	Pagliuca, et al.	
	308	7,108,705	9/19/06	Davison et al.	
	309	2001/0011170 A1	08/02/01	Davison et al.	
	310	2001/0049498 A1	12/06/01	Davison et al.	
	311	2002/0002360 A1	01/03/02	Orth et al.	
	312	2002/0022764 A1	02/21/02	Smith et al.	
	313	2002/0065560 A1	05/30/02	Varga et. al.	
	314	2002/0143235 A1	10/03/02	Pagliuca	
	315	2002/0165612 A1	11/7/02	Gerber et al.	
	316	2003/0009130 A1	01/09/03	Stecker et al.	
	317	2003/0014068 A1	1/16/03	Bonutti et al.	
	318	2003/0040656 A1	02/27/03	Pagliuca et al.	
	319	2003/0073998 A1	04/17/03	Pagliuca et al.	

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SHEET 12 OF 16	Attorney Docket No.	ENDIUS.26CP1C2

U.S. PATENT DOCUMENTS					
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	320	2003/0139648 A1	07/24/03	Foley et al.	
	321	2003/0153911 A1	8/1/03	Shluzas	
	322	2003/0153927 A1	08/14/03	DiPoto et al.	
	323	2003/0167058 A1	9/1/03	Shluzas	
	324	2003/0191371 A1	10/09/03	Smith et al.	
	325	2003/0195405 A1	10/16/03	Marino et al.	
	326	2003/0195493 A1	10/16/03	Davison et al.	
	327	2003/0195549 A1	10/16/03	Davison et al.	
	328	2003/0199871 A1	10/23/03	Foley et al.	
	329	2003/0199885 A1	10/23/03	Davison et al.	
	330	2003/0208203 A1	11/6/03	Lim et al.	
	331	2003/0236529 A1	12/1/03	Shluzas et al.	
	332	2004/0059339 A1	03/25/04	Roehm, III et al.	
	333	2004/0176763 A1	9/9/04	Foley et al.	
	334	U.S. App. No. 10/440,231 U.S. Pub. No. 2003-0195550	Filed 05/16/2003 Pub.: 10/16/2003	Davison et al.	
	335	U.S. App. No. 10/441,319 U.S. Pub. No. 2003-0195551	Filed 05/16/2003 Pub.: 10/16/2003	Davison et al.	
	336	U.S. App. No. 10/514,797 U.S. Pub. No. 2006-0089662	Filed 7/31/2001 Pub. 4/27/2006	Davison et al.	
	337	U.S. App. No. 10/658,736 U.S. Pub. No. 2004-0133201	Filed 9/9/2003 Pub. 7/8/2004	Shluzas et al.	
	338	U.S. App. No. 10/665,754 U.S. Pub. No. 2004-0116954	Filed 9/19/2003 Pub. 6/17/2004	Davison et al.	
	339	U.S. App. No. 10/685,761 U.S. Pub. No. 2004-0078051	Filed 10/15/2003 Pub. 4/22/2004	Davison et al.	
	340	U.S. App. No. 10/686,154 U.S. Pub. No. 2004-0236317	Filed 10/15/2003 Pub. 11/25/2004	Davison	
	341	U.S. App. No. 10/713,820 U.S. Pub. No. 2004-0098012	Filed 11/14/2003 Pub. 5/20/2004	Davison et al.	
	342	U.S. App. No. 10/912,453 U.S. Pub. No. 2005-0033297	Filed 8/5/2004 Pub. 2/10/2005	Davison	
	343	U.S. App. No. 10/916,871 U.S. Pub. No. 2005-0021030	Filed 8/12/2004 Pub. 1/27/2005	Pagliuca et al.	

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	First Named Inventor	Thomas W. Davison
	Art Unit	3733
	Examiner	Nicholas W. Woodall
SHEET 13 OF 16	Attorney Docket No.	ENDIUS.26CP1C2

U.S. PATENT DOCUMENTS					
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	344	U.S. App. No. 10/941,697 U.S. Pub. No. 2005-0113833	Filed 9/14/2004 Pub. 5/26/2005	Davison	
	345	U.S. App. No. 10/958,505 U.S. Pub. No. 2005-0043754	Filed 10/5/2004 Pub. 2/24/2005	Davison et al.	
	346	U.S. App. No. 11/417,616	Filed 5/3/2006	Davison et al.	
	347	U.S. App. No. 11/417,646	Filed 5/3/2006	Davison et al.	
	348	U.S. App. No. 11/417,653	Filed 5/3/2006	Davison et al.	
	349	U.S. App. No. 11/417,659	Filed 5/3/2006	Davison et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ¹
	350	AU 13672/95	09/14/1995	Kambin		
	351	DE 1566116	01/01/1970	Ostensen et al.		
	352	DE 2222979	11/01/1973	Tsch		
	353	DE 3108766 A1	09/01/1982	Nichtnennung		
	354	DE 3936811 A1	09/01/1990	Storz		
	355	EP 0 303 824 A2	02/01/1989	Martinez et al.		
	356	EP 0 528 562 A2	07/01/1992	Kambin		
	357	EP 0 682 918 A1	11/22/1995	Pfaifer et al.		
	358	EP 0 807 415 A2	11/19/1997	Kogasaka et al.		
	359	EP 0 980 677 A1	02/23/2000	Endius, Inc.		
	360	EP 1 090 595 A2	04/11/2001	Stryker Spine		
	361	EP 1 251 767 A2	10/30/2002	Endius, Inc.		
	362	EP 1 305 077 A1	05/02/2003	Endius, Inc.		
	363	FR 2 701 379	08/19/1994	Destandau		
	364	FR 2 714 285 A1	06/30/1995	Adriao et al.		
	365	GB 2234906 A	02/20/1991	Shepperd		
	366	JP 2000-83960 A2	03/28/2000	Endius, Inc.		
	367	JP 2001-149376 A2	06/05/2001	Endius, Inc.		

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SHEET 14 OF 16	Attorney Docket No.	ENDIUS.26CP1C2

FOREIGN PATENT DOCUMENTS

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	368	WO 91/06266 A1	05/16/1991	Surgical Dynamics, Inc.		
	369	WO 92/19146 A1	11/12/1992	Wild		
	370	WO 92/21292 A2	12/10/1992	Origin Medsystems, Inc.		
	371	WO 93/14801 A1	08/05/1993	Wilk		
	372	WO 93/15647 A1	08/19/1993	Linovatec Corporation		
	373	WO 94/03114 A1	02/17/1994	Redmond et al.		
	374	WO 95/10218 A1	04/20/1995	Stanford Surgical Tech., Inc.		
	375	WO 95/22285 A1	08/24/1995	Kambin		
	376	WO 95/32663 A1	12/07/1995	Kieturakis		
	377	WO 98/27884 A1	07/02/1998	Haider		
	378	WO 98/33462 A1	08/06/1998	Cardiac Assist Technologies, Inc.		
	379	WO 00/18306 A1	04/06/2000	SDGI Holdings, Inc.		
	380	WO 01/54560 A2	08/02/2001	Endius, Inc.		
	381	WO 02/09801 A1	02/07/2002	Endius, Inc.		
	382	WO 02/22030 A2	03/21/2002	SDGI Holdings, Inc.		
	383	WO 02/078767 A2	10/10/2002	Endius, Inc.		
	384	WO 03/07783 A2	01/30/2003	Endius, Inc.		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ¹
	385	ALBEE, FRED H., an excerpt from "Bone Graft Surgery in Disease, Injury and Deformity", Preface (xi-x), 1940.	
	386	CASPAR, WOLFARD, M.D., "The Caspar Microsurgical Discectomy and Comparison with a Conventional Standard Lumbar Disc Procedure" Neurosurgery, January 1991, pgs. 78-87, Vol. 28, No. 1.	
	387	DESTANDAU, JEAN, "A Special Device for Endoscopic Surgery of Lumbar Disc Herniation", Neurological Research, January 1999, Vol. 21, pgs. 39-42.	
	388	DITSWORTH, DAVID A., M.D., The American Association of Neurological Surgeons, April 1995, "Comprehensive Percutaneous Endoscopic Spinal Surgery", Abstract.	
	389	DITSWORTH, DAVID A., M.D., The Joint Section on Spine and Peripheral Nerves, February 1995, "A New and Superior Technique for Removal of Herniated Lumbar Disc: Endoscope and Nucleotome Combination", Abstract.	

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--------------------	-----------------

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NON PATENT LITERATURE DOCUMENTS

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	390	DITSWORTH, DAVID A., M.D., "Endoscopic Transforaminal Lumbar Discectomy and Reconfiguration: A Posterolateral Approach into the Spinal Canal", Surg Neurol, 1998; 49:588-98.	
	391	ENDIUS presentation materials (2 pgs.) entitled "Spine Endoscopy System with FlexPosure™", dated 1999.	
	392	FOLEY, KEVIN T., M.D., et al., "Percutaneous Pedicle Screw Fixation of the Lumbar Spine", Neurosurg Focus, 10:1-8, April 2001.	
	393	GUIOT, BERNARD H., M.S., et al., "A Minimally Invasive Technique for Decompression of the Lumbar Spine", SPINE, 27, 4:432-438, 2002.	
	394	KAMBIN, PARVIZ, "Arthroscopic Lumbar Interbody Fusion", Publisher Unknown, Chapter 77:1055-1066, undated.	
	395	KAMBIN, PARVIZ, "Posterolateral Percutaneous Lumbar Interbody Fusion", Publisher Unknown, Chapter 9:117-121, Date Unknown.	
	396	KAMBIN, PARVIZ, <i>Advances in Operative Orthopaedics</i> , 3:147-171, 1995, "The Role of Minimally Invasive Spine Surgery".	
	397	KAMBIN, PARVIZ, <i>Neurosurgery Clinics of North America</i> , 7(1):65-76, 1996 "Diagnostic and Therapeutic Spinal Arthroscopy".	
	398	KAMBIN, PARVIZ, "Arthroscopic Techniques for Spinal Surgery", Chapter 89, Operative Arthroscopy, Second Edition, pgs. 1215-1225, 1996.	
	399	KAMBIN, PARVIZ, "Arthroscopic Microdiscectomy", The Adult Spine, Principles and Practice, Chapter 94, pgs. 2023-2036, 1997.	
	400	KAMBIN, PARVIZ, "Arthroscopic Lumbar Intervertebral Fusion", The Adult Spine: Principles and Practice, Chapter 95, pgs. 2037-2046, 1997.	
	401	KAMBIN, PARVIZ M.D., Endoscopic Laminotomy Procedures, on sale and in public use in the United States more than one year prior to August 1, 2000.	
	402	LEONARD MEDICAL, INC., Brochure entitled "Instruments for Less Invasive Surgery," undated, published more than one year prior to August 1, 2000.	
	403	MATHEWS, HALLET H., M.D., "Spinal Endoscopy Evolution, Applications, and Foundations," pgs. 1-44.	
	404	MED™ presentation materials (33 pgs.) entitled "MicroEndoscopic Discectomy System", dated 1997.	
	405	MEDTRONIC SOFAMOR DANEK METRx Micro Discectomy System Brochure, 2000.	
	406	MEDTRONIC SOFAMOR DANEK, "An Evolution in Minimally Invasive Spine Surgery, METRx MicroEndoscopic Discectomy, 1999.	
	407	MEDTRONIC SOFAMOR DANEK, METRx Microdiscectomy Surgical Technique, 2001 as described by Donald L. Hilton, Jr., M.D., F.A.C.S. and Sylvain Palmer, M.D., F.A.C.S..	
	408	MUSCULOSKELETAL TRANSPLANT FOUNDATION presentation materials (2 pgs.) entitled "The MTF EndoDowel™", dated June 1996.	

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	409	MUSCULOSKELETAL TRANSPLANT FOUNDATION presentation materials (1-16), dated April 1996.	
	410	OTERO VICH M.D., JOSE M., "Anterior Cervical Interbody Fusion with Threaded Cylindrical Bone", Journal of Neurosurgery 63: 750-753, 1985.	
	411	SOFAMOR DANEK, Micro Endo Systems Brochure, 1994.	
	412	SOFAMOR DANEK, Laparoscopic Bone Dowel Instruments Brochure, 1995	
	413	SOFAMOR DANEK, Laparoscopic Bone Dowel Surgical Technique, (17 pgs.) 1995.	
	414	STAUBER, MARTIN H., M.D. et al., "Pedicle Screw Placement with Intraosseous Endoscopy", SPINE, 19, 1:57-61, 1994.	
	415	U.S. Patent Application Serial No. 07/328,952, Material cancelled from Meyer Application. Mailed March 27, 1989, publicly available at least on July 21, 1992.	
	416	Request for Declaration of Interference filed in U.S. Patent Application No. 10/734,161, filed January 29, 2004.	
	417	Copy of Response to Office Action mailed January 3, 2006 in U.S. Application No. 10/734,161, filed July 3, 2006.	
	418	Copy of Letter and Suggestion of Interference in U.S. Application No. 10/734,161, filed October 25, 2006.	

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